

The Chairwoman of this committee has not yet approved these minutes.  
PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: March 8, 2006  
CALLED TO ORDER: 5:34 p.m.  
ADJOURNED: 7:17 p.m.

#### ATTENDANCE

##### Attending Members

Mary Moriarty Adams, Chairwoman  
Vernon Brown  
Greg Bowes  
Sherron Franklin  
William Oliver  
Lincoln Plowman  
Lynn McWhirter

##### Absent Members

Scott Schneider

#### AGENDA

PROPOSAL NO. 130, 2006 - approves an increase of \$354,000 in the 2006 Budget of the Marion County Sheriff (Cumulative Capital Improvement Fund) to purchase twenty-five vehicles for the Civil Division of the Sheriff's Department  
"Do Pass" Vote: 7-0

PROPOSAL NO. 131, 2006 - approves an increase of \$94,500 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to provide funding for a review and redesign of the jury pool process  
"Do Pass" Vote: 7-0

PROPOSAL NO. 132, 2006 - approves an increase of \$800 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to provide funding for the conference registration fees of one juvenile hearing officer to attend a conference on "Building on Success: Providing Today's Youth with Opportunities for a Better Tomorrow"  
"Stricken" Vote: 7-0

PROPOSAL NO. 133, 2006 - approves a transfer of \$195,950 in the 2006 Budget of the Marion Superior Court (Alcohol and Drug Services Fund) to the Drug Testing Laboratory Fund in order to simplify the accounting structure of the agency  
"Do Pass" Vote: 7-0

PROPOSAL NO. 134, 2006 - approves a transfer of \$10,000 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to pay for supplies in the Community Court building, funded by the Indiana Criminal Justice Institute  
“Do Pass” Vote: 7-0

PROPOSAL NO. 135, 2006 - approves an appropriation totaling \$886,687 in the 2006 Budget of Marion County Community Corrections (State and Federal Grants Fund) to implement a program to help remove juveniles early from state correctional facilities, financed by a grant from the Indiana Department of Corrections  
“Do Pass” Vote: 7-0

PROPOSAL NO. 136, 2006 - approves an increase of \$176,086 in the 2006 Budget of the Marion County Prosecutor (State and Federal Grants Fund and County Grants Fund) to fund expenses related to a narcotics eviction investigator, a stalking prosecutor, the purchase of radar guns, and overtime for nighttime seat belt enforcement efforts  
“Do Pass” Vote: 7-0

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, March 8, 2006. Chairwoman Mary Moriarty Adams called the meeting to order at 5:34 p.m. with the following members present: Greg Bowes, Vernon Brown, Sherron Franklin, William Oliver, Lincoln Plowman, and Lynn McWhirter. Absent was Scott Schneider.

PROPOSAL NO. 135, 2006 - approves an appropriation totaling \$886,687 in the 2006 Budget of Marion County Community Corrections (State and Federal Grants Fund) to implement a program to help remove juveniles early from state correctional facilities, financed by a grant from the Indiana Department of Corrections

Brian Barton, Director of Community Corrections, stated that this program is to help remove juveniles early from the State correctional facilities. The Board of Community Corrections has approved it unanimously.

[Clerks note: Robert Bingham, Chief Probation officer, read verbatim the attached statement, which is Exhibit A.]

Councillor McWhirter asked what is meant by the 60 days that a juvenile would have in the community after serving their time. Mr. Bingham stated that the juvenile would be returned home to the parents, but there would be intensive services that would be in place for the juvenile to participate in long before the juvenile would be returned to his home.

Councillor Oliver asked if the juveniles would have some type of monitoring system. Mr. Bingham answered in the affirmative and stated that it could be written into the program if needed. Councillor Oliver asked if the juveniles would be required to return to school. Mr. Bingham answered in the affirmative.

Councillor Brown asked how long the funding from this proposal would last for this program. Mr. Bingham stated that it would last for one year.

Councillor Franklin stated that Community Action would be a great organization that could help out with the program for the Juveniles. Kevin Riley, Marion Superior Court Probation, Juvenile Division, stated that he met with Mark Montgomery from Community Action and inquired about the work within the Department of Corrections (DOC) facilities. Mr. Montgomery presented a \$60 - \$70 per-deim.

Carla Duffy, Director of the Aftercare for Indiana through Mentoring (AIM) program, stated that they currently work with DOC in regard to the juveniles and they are in full support of the ordinance. She said the only problem they have currently is that the AIM program is not required for juveniles that are released. Ms. Duffy stated that AIM is a program that the juveniles get into during their last 60 days of juvenile, but sometimes there are issues with time if the facility is on lockdown or something to that affect. She said that if this proposal is accepted, the environment that would be created that would allow the AIM program to have continuous access to juveniles and their families.

Councillor McWhirter moved, seconded by Councillor Bowes, to send Proposal No. 135, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 130, 2006 - approves an increase of \$354,000 in the 2006 Budget of the Marion County Sheriff (Cumulative Capital Improvement Fund) to purchase twenty-five vehicles for the Civil Division of the Sheriff's Department

Kim Dillard, Office of Finance and Management, stated that the Sheriff's Department worked very closely with the Office of Finance and Management and requested 60 new vehicles. This proposal was created as a result of the request. Ms. Dillard stated that this funding comes from the Cumulative Capital Improvement Fund and it still has a healthy balance. This fund is where the money for vehicles is located. She said that for 2006 the Office of Finance and Management did not budget for any vehicles due to the uncertainty of the police merger. Ms. Dillard stated that this would not affect the funding set aside for the new police department.

Councillor Franklin asked when was the last time these types of vehicles were purchased. Tom Koppel, Marion County Sheriff Department (MCSD), stated they were purchased in 2003. He said that the vehicles will be used for the civil office and for some detectives. Mr. Koppel added that the civil office was not a part of the consolidation/police merger.

Councillor Oliver asked if the vehicles will have a certain color scheme. Mr. Koppel answered in the negative, and added that these are unmarked vehicles that are normally used in both agencies. Councillor Oliver asked if the vehicles will be purchased at bid price. Mr. Koppel answered in the affirmative.

Councillor Brown asked what year the vehicles are that will be replaced. Mr. Koppel stated that the vehicles that are being replaced are from the 1990's.

Councillor Franklin stated that Victim Assistance needs newer cars also and they should also be considered.

Councillor Bowes asked why the funds from sold vehicles are placed into the County General Fund instead of the Cumulative Capital Improvement Fund. Mr. Koppel stated that in prior years, the Sheriff would ask for the funding to be placed back into the Cumulative Capital Improvement Fund.

Councillor Franklin moved, seconded by Councillor Oliver, to send Proposal No. 130, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 131, 2006 - approves an increase of \$94,500 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to provide funding for a review and redesign of the jury pool process

Sue Patterson, Director of Finance for Court Services, stated that this proposal appropriates a grant from the Criminal Justice Institute to pay for a review and redesign of the jury pool process. The annual expense for the jurors' pay for 2005 was \$567,000; one of the largest outlays of budget dollars outside of salary and fringe benefits, and rent for Marion Superior Court. She said that if there are ways to mitigate these costs, there would be positive budget consequences for the Marion Superior Court and the Clerk's

office. The Clerk's office is responsible for the juror summons' and postage costs. Currently the Courts must request summonses for twice as many jurors as it actually needs due to the 50 percent compliance rate. Ms. Patterson stated that last year the postage cost was down for juror summonses to about \$35,000, but the cost has been as high as \$75,000. She said that one of the focuses is to review the process and make some changes in order to make everyone aware that a summons is not an option; it is required.

Councillor McWhirter asked how the process would be changed. Ms. Patterson said that they are trying to get the database upgraded for more efficient addresses, which will cut down on the number of returned mail. Another way is to look at the technology of the jury to see if there are ways to make the process less onerous.

Councillor Plowman asked if there was an estimate of people that have been contacted but have chosen not to respond. Ms. Patterson answered in the negative. She said that the problems come when people respond to their summons verbally, implying that they will attend and they do not show up. Councillor Plowman asked if there were any penalties for people not showing up when they receive a summons. Ms. Patterson answered in the negative.

Councillor Bowes stated that if the people do not comply with the summons they could be held in contempt of court. He stated that the courts have the power to enforce the rule and they should do so. Ms. Patterson stated that the judges are discussing giving out community service and are looking at other ways to make people comply with the summons.

Councillor Brown asked if the review process would be done internally or if someone would be hired in from the outside. Ms. Patterson stated that they are going to use Crowe Chizek's Consulting firm, along with the internal staff. Mr. Brown asked if all of this funding would be used to pay for Crowe Chizek's services. Ms. Patterson answered in the affirmative. Mr. Brown asked if Crowe Chizek was selected through a bidding process. Ms. Patterson answered in the negative. Councillor Brown asked if there has been any other company that has provided consulting services to the City. Ms. Patterson stated that Crowe Chizek is the only consulting service that the courts have used.

Councillor Plowman asked for an estimate on what Crowe Chizek has been paid for their services on behalf of the city per year. Ms. Dillard stated that she would get this information to the committee before the next full Council meeting.

Councillor McWhirter moved, seconded by Councillor Plowman, to send Proposal No. 131, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

**PROPOSAL NO. 132, 2006** - approves an increase of \$800 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to provide funding for the conference registration fees of one juvenile hearing officer to attend a conference on "Building on Success: Providing Today's Youth with Opportunities for a Better Tomorrow"

Councillor McWhirter moved, seconded by Councillor Bowes, to Strike Proposal No. 132, 2006. The motion carried by a vote of 7-0.

PROPOSAL NO. 133, 2006 - approves a transfer of \$195,950 in the 2006 Budget of the Marion Superior Court (Alcohol and Drug Services Fund) to the Drug Testing Laboratory Fund in order to simplify the accounting structure of the agency

Ms. Patterson stated that Proposal No. 133, 2006 is a transfer of the 2006 budget from the Alcohol and Drug Services fund to the Drug Lab Fund to simplify the accounting structure for the agency by placing all of the budgeted revenues and expenditures into one fund. She said that the fund is an enterprise fund, which means that Court services would track the revenues and expenses, and the Alcohol and Drug testing lab would be expected to cover their own expenses. Ms. Patterson stated that this operates at no cost to the taxpayers.

Councillor McWhirter moved, seconded by Councillor Plowman, to send Proposal No. 133, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 134, 2006 - approves a transfer of \$10,000 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to pay for supplies in the Community Court building, funded by the Indiana Criminal Justice Institute

Ms. Patterson stated that Proposal No. 134, 2006 approves a transfer of \$10,000 from Character 03 to Character 02 in order to pay for operation supplies for the Community Court that was originally budgeted as operation expenses in Characters 03.

Councillor McWhirter moved, seconded by Councillor Plowman, to send Proposal No. 134, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 136, 2006 - approves an increase of \$176,086 in the 2006 Budget of the Marion County Prosecutor (State and Federal Grants Fund and County Grants Fund) to fund expenses related to a narcotics eviction investigator, a stalking prosecutor, the purchase of radar guns, and overtime for nighttime seat belt enforcement efforts

Lisa Bentley, Chief of Operations for the Prosecutors Office, stated this is all funding from grants. She said that the money for the Stalking Prosecutor is a renewal for two years that covers salary and fringes. The narcotics eviction investigator is the Prosecutor's portion of the Drug Free Marion County Fund, which includes salary and fringes. She said the Council has already approved the other portion. Ms. Bentley stated that this part of the grant is a \$4,000 award to purchase radar guns that was awarded by the Governor's Council on Impaired and Dangerous Driving. The last part of this grant is for the nighttime seat belt enforcement efforts.

Don Bickel, Prosecutor's office, stated that the Marion County Traffic Safety Partnership has conducted nighttime seat belt enforcement zones since 2004 on a very limited basis. He said that they are finding out that in 2002 over 52 percent of vehicle occupants involved in fatality crashes after dark were unrestrained. He said that there are a lot of people not buckling up at night. This would save a lot of money and lives. Mr. Bickel stated that the City has reduced injuries and crashes in Marion County through seat belt and DUI enforcement by 19 percent. Mr. Bickel stated that there are strict policies for nighttime zones so it is safe for the public and the law enforcement officers doing the stops.

Councillor Brown asked what happens to a position in the Prosecutor's Office when the grant money runs out. Ms. Bentley said that typically they find funding from other sources. Councillor Brown asked if there was any statistical information regarding Human Trafficking. Lisa Borges, Prosecutor's Office, answered in the negative. She stated that there are cases that have been referred to the Human Trafficking Taskforce, and they meet on a regular basis.

Councillor Bowes asked if there is a prosecutor that was assigned to a particular type of crime and the funding to pay that prosecutor's salary comes from a designated grant, the prosecutor has other responsibilities outside of that type of crime. Ms. Bentley answered in the negative.

Councillor Oliver asked if the new radar guns would replace old radar guns or if the new radar guns would be added to the old radar guns. Mr. Bickel stated that they would be adding to the number of radar guns that they currently have.

Chairwoman Moriarty Adams asked how many guns could be purchased for \$ 4,000. Mr. Bickel stated that there would be a total of five new radar guns.

Councillor McWhirter moved, seconded by Councillor Brown, to send Proposal No. 136, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

## CONCLUSION

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 7:17 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman  
Public Safety and Criminal Justice Committee

MMA/rjp

## (Exhibit A)

The Community Transition Program is intended to reduce the number of youth who get re-committed to the Dept. of Correction, which ultimately reduces DOC expenditures. In 2005, approximately 38% of Marion County's commitments were re-commitments. Few services existed to assist the child and his/her family with the transition from DOC to the community, contributing to the re-commitment rate. Most youth were released directly to parole with few services involved in the pre-release.

In 2003, Lake County developed a program to address this issue. Youth are brought back to the original jurisdiction and local service providers begin working with a youth approximately 3 months prior to their release. In the last phase of their DOC stay, which is approx. 60 days, they are released into the community rather than staying in DOC. The service provider continues to work with the youth and his/her family. They are responsible for identifying needs and developing a treatment plan. Probation's role is to continue to monitor compliance and address any issues as they arise.

The program in Lake County was successful. They experienced an \$800,000 savings in the General Fund over 2 years due to the 60-day transition period normally spent in DOC. The return rate for Lake County also dropped to nearly 10% compared to 19% in other counties. An added benefit is that the home based counselors also work with siblings, helping to avoid future commitments.

The Grant allows Marion County to develop the same program to assist youth coming out of the DOC. We are hoping to experience the same results as Lake County.

### Added notes:

- 1 of 5 counties approached by DOC to implement this program. Jim Hmurovich was hired as a consultant by DOC to expand the program.
- All Marion County youth will be served by this program
- DOC has agreed to keep all Marion County youth locally at the Indiana Juvenile Correctional Facility



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- Future funding -- we will need to work closely with DCS to develop permanent funding
- Most funding (\$886,687) will go to service providers. And RFP will go out in the next couple weeks. We are working with CAPP and Judge Moores on the process

There is an evaluation component written into the proposal, yet no evaluator has been chosen.